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MAILED

OCT 19 2009

OFFICE OF PETITIONS

In re Application of :  
David V. Pedersen, et al. :  
Application No. 09/539,287 : DECISION GRANTING PETITION  
Filed: May 30, 2000 : UNDER 37 CFR 1.313(c)(2)  
Attorney Docket No. P48D1-US :

This is a decision on the petition under 37 CFR 1.313(c)(2), filed October 16, 2009, to withdraw the above-identified application from issue after payment of the issue fee.


The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on January 5, 2009 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>*

Telephone inquiries should be directed to Terri Johnson at (571) 272-2991.

This application is being referred to Technology Center AU 2841 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

  
Terri Johnson  
Petitions Examiner  
Office of Petitions

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.



Applicants believe that allowing the Examiner to consider those references constitutes good and sufficient reason for withdrawing the application from issue.

For the reasons discussed above, Applicants respectfully request that the above-identified patent application be withdrawn from issue and prosecution reopened in accordance with the RCE submitted herewith to allow the Examiner to consider the .

Applicants authorize the Director to charge the petition fee of \$130.00 as set forth in C.F.R. 17(h) to Deposit Account No. 50-0843 (order no. 12439-0270), and Applicants authorize the Director to charge an RCE fee of \$810.00 to Deposit Account No. 50-0843 (order no. 12439-0270). In addition, Applicants authorize the Director to charge any additional fee or any deficiency in the fees provided for as needed for acceptance of this paper to Deposit Account No. 50-0843 (order no. 12439-0270).

Respectfully submitted,

Date: October 16 2009

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